



# CITY OF LEMON GROVE

## LEMON GROVE SANITATION DISTRICT STAFF REPORT

**Item No.** 1.E

**Meeting Date:** April 2, 2019

**Submitted to:** Honorable Chair and Members of the Lemon Grove Sanitation District

**Department:** Public Works Department

**Staff Contact:** Mike James, Assistant City Manager

[mjames@lemongrove.ca.gov](mailto:mjames@lemongrove.ca.gov)

**Item Title:** Acceptance of a Sewer Easement across 8429 Broadway

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**Recommended Action:** Adopt a resolution accepting an easement across 8429 Broadway.

**Summary:** The Lemon Grove Sanitation District Board awarded the FY2017-18 Sewer CIP project on February 19, 2019 based on the completed Sanitary Sewer Master Plan which was presented and approved by the Lemon Grove Sanitation District Board (Board) on October 17, 2017. As part of that FY2017-18 Sewer CIP Project, there is a need to install a new sewer line across 8249 Broadway, which would require the Sanitation District to obtain a public sewer easement in order to install the new sewer line.

**Discussion:** The 20-foot proposed easement (**Attachment B**) is needed to allow future maintenance of a new sewer pipe to replace a current sewer pipe, which is located underneath a building at the southerly portion of the property. To have a sewer pipe located in this manner is highly unusual. In the event that the pipe should require a repair, it is more difficult for the District to make those repairs. Staff met with the property owner and explained the need for the easement and he has agreed to sign a grant deed (**Attachment C**) to the Lemon Grove Sanitation District.

**Environmental Review:**

☐ Not subject to review

☐ Negative Declaration

☒ Categorical Exemption, Section 15302

☐ Mitigated Negative Declaration

**Fiscal Impact:** The District established funding from the Sanitation District Capital Funds, Fund 16 for the FY 2017-18 Sewer Capital Improvement Project.

**Public Notification:** None.

**Staff Recommendation:** Adopt a resolution accepting an easement across 8429 Broadway.

**Attachments:**

**Attachment A** – Resolution accepting the sewer easement across 8429 Broadway through a grant deed.

**Attachment B** – Proposed Sewer Easement

**Attachment C** – Draft Easement Agreement

**RESOLUTION NO. 2019 -**

**A RESOLUTION OF THE DISTRICT BOARD OF THE LEMON GROVE  
SANITATION DISTRICT BOARD ACCEPTING A PUBLIC SEWER EASEMENT  
ACROSS 8429 BROADWAY**

**WHEREAS**, on February 19, 2019 the Lemon Grove Sanitation District Board (Board) awarded the FY2017-18 Sewer Capital Improvement Project, and

**WHEREAS**, as part of the project there is a need to install a new sewer line across 8249 Broadway; and

**WHEREAS**, in order to install a new sewer line across 8249 Broadway, a public sewer easement is needed; and

**WHEREAS**, the Board finds it in the public interest that the public sewer easement be accepted.

**NOW, THEREFORE, BE IT RESOLVED** that the Lemon Grove Sanitation District Board hereby:

1. Accepts on behalf of the public the 20-foot public sewer easement across 8249 Broadway (**Attachment B**), and
2. Authorizes the District Manager or her designee to execute said easement (**Attachment C**).

**PASSED AND ADOPTED** on \_\_\_\_\_, 2019, the Lemon Grove Sanitation District, California, adopted Resolution No. \_\_\_\_\_, passed by the following vote:

*AYES:*

*NOES:*

*ABSENT:*

*ABSTAIN:*

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*Racquel Vasquez, Board Chair*

*Attest: Shelley Chapel, MMC, District Clerk*

*Approved as to Form: Kristen Steinke, District Attorney*



RECORDING REQUESTED BY  
DISTRICT CLERK  
CITY OF LEMON GROVE SANITATION DISTRICT  
3232 MAIN STREET  
LEMON GROVE, CA 91945

WHEN RECORDED MAIL TO  
AND MAIL TAX STATEMENT TO

District Clerk  
City of Lemon Grove Sanitation District  
3232 Main Street  
Lemon Grove, CA 91945

SPACE ABOVE FOR RECORDER'S USE ONLY

## QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX \$ 0  
EXEMPTION (R&T CODE) 11911  
EXPLANATION Value less than \$100  
Signature of Declarant or Agent determining tax

APN: 499-220-59

For a valuable consideration, receipt of which is hereby acknowledged, **J M N Properties** hereby remise, release and forever quitclaim to **The Lemon Grove Sanitation District** the following described real property in the City of Lemon Grove, County of San Diego, State of California:

See Exhibit 'A' and 'B'

Dated \_\_\_\_\_

By: \_\_\_\_\_

John Neill, Owner  
J M N Properties

*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

STATE OF CALIFORNIA}

COUNTY OF SAN DIEGO}

On \_\_\_\_\_ before me, \_\_\_\_\_  
name and title of officer

personally appeared \_\_\_\_\_ who  
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under the PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

**EXHIBIT "A"**  
**SEWER EASEMENT**  
**APN 499-220-59**

THAT PORTION OF LOT 89 OF LEMON GROVE PARK, IN THE CITY OF LEMON GROVE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 1303, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JANUARY 17, 1911, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 89; THENCE ALONG THE EASTERLY LINE THEREOF NORTH 0°37'13" EAST 290.85 FEET TO THE NORTHEASTERLY LINE OF PARCEL 1 PER DEED RECORDED NOVEMBER 16, 2016 AS DOCUMENT NO. 2016-0624163 OF OFFICIAL RECORDS; THENCE ALONG SAID NORTHEASTERLY LINE NORTH 43°52'10" WEST 40.92 FEET TO THE **TRUE POINT OF BEGINNING**; THENCE LEAVING SAID NORTHEASTERLY LINE SOUTH 45°42'37" WEST 102.85 FEET; THENCE SOUTH 45°08'40" EAST 59.70 FEET; THENCE SOUTH 44°51'20" WEST 20.00 FEET; THENCE NORTH 45°08'40" WEST 80.00 FEET; THENCE NORTH 45°42'37" EAST 123.29 FEET TO SAID NORTHEASTERLY LINE; THENCE ALONG SAID NORTHEASTERLY LINE SOUTH 43°52'10" EAST 20.00 FEET TO THE **TRUE POINT OF BEGINNING**.

SEE EXHIBIT "B" ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF.

AREA = 3,658 SQUARE FEET, MORE OR LESS.

**DRAFT**

3/8/19

MICKEY B. AGUIRRE RCE 27648



